

IN THE UNITED STATE DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP
DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

UNITED STATES OF AMERICA

MAY 16 2022

2:18CR00003-002

v.
LEILA VARETTA HECTOR,
Defendant,

JULIA C. DUDLEY, CLERK
BY: *J. Meade*
DEPUTY CLERK

MOTION TO SEEK EMERGENCY STAY TO SELF-REPORTED MOTION TO MODIFY SENTENCE MOTION TO
REQUEST TO CHANGE FACILITIES TO A SUPERVISOR HALFWAY HOUSE

Defendant, on 4/26/22 the day for scheduled Thyroid and Lymph Nodes surgery, she had to have heart diagnosis to see if her was strong enough. (Defendant, on doctor's care to wear a heart monitor for 2 months.) Ironically it was discovered roughly a week before the scheduled surgery that she suffers from a heart disease and her potassium level had drastically depleted. Defendant has been suffering from untreated / unexplained "BLACK OUTS" since early 2021 and as recent as March 2022. One Blackout Fall led to her damaging her left shoulder after previously Blacking Out which led to the falling off my back porch.

The surgery was successfully and on 4/28/22, and on 4/30/2, Defendant, was transported back to her home, but after a couple day Defendant felt sick missing follow up Doctor's appointment and on Friday 5/6/22 Piedmont Urgent Care in Athens, Ga diagnosed Defendant, with the FLU. Defendant, immune system is still weak.

Defendant request to be placed in a halfway house near her doctors because of her immune system and to be close to her doctors to help with the consistency in controlling her thyroid level, potassium, calcium level, high blood pressure and anemic.

FMC Carswell location in Fort Worth, Texas. Defendant, health condition then as well as now consists of several high risk factors recognized by the CDC to cause severe illness or death if the COVID-19 is contract. FMC Carswell is Defendant, BOP designated Prison. That prison is a real COVID-19 hotbed that is a medical facility which it is likely to always have outbreaks in part due to that very reason as well as death as recent as 4/2022. Defendant's immune system has been severely compromised for years as a result from the Chemotherapy, radiation, destroyed / diseased organs and the countless number of medication I have had to take and what I must take daily when I can remember to take all of them. (SEE MEDICATION RECORD HISTORY #).

Defendant's is sixty (60) year old and suffers from serious terminal and nonterminal illness that doctors in society- including Emory Hospital in Atlantic, GA.- finds troubling; so, how can the BOP health services possible provide adequate care for Defendant's multiple medical complications? (SEE HONORABLE JUDGE JAMES P JONES STATEMENT IN THE TRANSCRIPT OF SENTENCE HEARING ON DECEMBER 19, 2019, PAGE 32-33, LINE 20-25/ 1-4)

Plus Defendant cannot possibly protect herself or survive in prison being medically incapacitated, sight/vision almost gone, suffers from blackouts, the cancer she suffers from can possibly be in her bones based on the fact that she has history of deaths due to bone Cancer. (Father and Grandmother) medical conditions constitute extraordinary and compelling reasons to request to granted a motion coupled with the fact that now Omicron Variant is the dominant COVID-19 Variant it believes nobody safe. The dangerous of the virus will return in the fall COVID-19 / XB-2, BA-2 and BA-3. The Omicron infects and reinvents both, vaccinated and unvaccinated, so the prison environment is extremely dangerous for Defendant, she is to sick to go to prison. Defendant was denied an

attorney so her chance to obtain an expert witness or a doctor in her defense was terminated. Defendant spent 27 days in jail, was convicted for a nonviolent drug offense, has been on bond and self surrender status 49 months has shown total respect for the law for she had to drive to Georgia to Virginia and back (round trip 620 miles) alone for the "Trial proceedings six times, drove the spend limit, has never missed a PROBATION OFFICER appointment and she has still volunteered to handmake and donate wigs to other Cancer patients/survivors. She is situated to 'Boone, Maxwell, and Hambrock' who too served 7 days in jail had obesity he was granted a Compassionate Release. U.S. v. Hambrock, 2021 U.S. Dist. Lexis 39885(EDVA 2/19/21). Defendant's release will not produce an unwarranted sentencing disparity because it accounts for her unique medical circumstances. Poulious v. U.S., 2020 U.S. Dist. Lexis 70458 (EDVA 4/20/20). Further, although the district court didn't address the 3553 (a) factors, Defendant has already shown that they favor her being released, on a sentence reduction due to the sentences her CO-DEPENDENT were given.

"REBECCA OWENS" was given a PROBATED Sentence after she pled guilty three (3) days before our first Jury Trial was cancelled due to snow. She was a first offender, married, was 56 year old, had serious medical issues she acquired from an accident. Her plea deal was told what it was going to be and the offender was reduced.

Defendant was a first offender, married, was 56 years old, the medicals issues related to cancer, surgery, and government's plea deal was not an individual plea but a package deal only if my husband plea guilty too.(SEE PLEA PACKAGE)

Being that we were in an alleged conspiracy for her (REBECCA OWENS) to get PROBATION and Defendant to get ten (10) years because I went to Trial is definitely a sentencing disparity. Then others with and without prior criminal histories received a five (5) months jail sentence (Dale), a eighteen (18) months (Paul), a twenty four month (Doug) and another got 108 months (Tim P.). Only although he had no prior criminal history. U.S. v. Cano, 2020 U.S., Dist. LEXIS 239859(SD FLA. 12/16/20). Only and all White receive a reduced sentence. demonstrated why she should be granted relief by this COURT being that Defendant obeyed the Courts ruling from 20-9702 Order. Defendant has shown she should be granted motion Defendant, she was a Artist, Hair Salon Stylist and Salon Owner+ over 30 years in the community, she is not a danger to any person or the Community and the 3553(a) factors favors

This Plea agreement was the act of my husband and his co-defendant which does not include myself I did not sell drugs I was a wife (Roy), I was not going to plead guilty to a crime that he had /have a d not committed with this friends from his hometown of Virginia most of them I do not know or have not even met. I was on vacation headed to a car show. If you take a look at this plea agreement and compare it to the other co-defendants plea agreement you will see a unbelievable difference you would ask yourself a question is there still justice for all in United States of America. I understand I just want to be treated fairly. I've been on a strict Federal Probation Officer supervisor for 4 years I have not broken the law and I have constantly battle my health condition 2004 to now. I, myself have never done drugs I never plan to do drugs thank God's. I understand this is a serious crime and justice has to be served. No other co-defendant significant other or spouse were arrested the most importantly they all got great plea deals and now they are at home. I am 60 years old I have lost almost everything only thing that I have left is a place call home if I go to jail I will have nothing in my return after 10 year if I make it out alive. My immune system, my healthy I would die in prison. I have pray and talk to God and I have set myself free I am tired if I should die I am prepared. It's been a struggle to stay alive some days it's hard to fight. If you look at my record you will see I have a outstanding record in and about the community. I pleaded with the court please give me a chance to live, what life I have left.

This 12, day of May, 2022



Leila Varetta Hector